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FILED

JANUARY 11, 2011
NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF LICENSE OF

ADMINISTRATIVE ACTION

REY N. BELLO, M.D.
LICENSE NO. 25MA06687300

FINAL ORDER

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

This matter was presented to the State Board of Medical Examiners by the Attorney General of New Jersey, by Joan D. Gelber, Sr. Deputy Attorney General, by way of a seven-count Administrative Complaint filed October 19, 2010. The conduct, as set forth in detail in the Complaint, was alleged to constitute, variously, violations of the cited administrative rules and of N.J.S.A. 45:1-21(b), (c), (d), (e) and (h), of N.J.S.A. 45:9-22.4 et seq., of N.J.S.A. 45:9-6 and of N.J.S.A. 45:9-7.

Respondent is represented by John Zen Jackson, Esq., of Kalison, McBride, Jackson & Robertson, P.C. Respondent, having consulted with his attorney, has determined to waive his right to contest the matter, and hereby neither admits nor denies the allegations of the Administrative Complaint, but in the interests of amicable settlement, Respondent Dr. Bello agrees to the following resolution of the matter.

CERTIFIED TRUE COPY

Respondent has offered to voluntarily and permanently surrender his license to practice medicine and surgery in this State, with such surrender to be deemed a revocation. He has agreed to pay the financial assessments set forth below.

Respondent has also agreed to promptly dissolve his corporate entities and to promptly withdraw from any form of ownership of or employment by "Pain & Ambulatory Surgery Center" if he has not already done so, and shall not accept any income or return on his investments therein that had not already accrued as of the filing date of this Order.

The Board has considered the matter, and finds that the entry of this Order will adequately protect the public interest. For good cause shown,

IT IS, ON THIS 11TH DAY OF JANUARY 2011
ORDERED:

1. Respondent Rey N. Bello, M.D. shall permanently surrender his license to practice medicine and surgery, to be deemed a revocation, effective January 31, 2011.

2. In the interim before active suspension, Respondent shall accept no new patients. Respondent shall make immediate arrangements for the orderly transfer of any current patients. He shall promptly notify all patients treated within the last six months regarding the availability for release or transfer of patient records pursuant to N.J.A.C. 13:35-6.5(h), and shall post newspaper and other notice as required by that rule.

3. On or before January 31, 2011, Respondent shall deliver to the State Board of Medical Examiners, 140 East Front St., 2nd floor, Trenton, New Jersey 08625-0183, his wall license and current biennial registration card.

4. Respondent shall surrender each of his Controlled Dangerous Substances Registrations to the State Division of Consumer Affairs Enforcement Bureau/Drug Control Unit, and shall immediately notify the Drug Control Unit and the federal Drug Enforcement Administration of the entry of this Order. Respondent shall make prompt arrangements with said agencies for the lawful disposal of all Controlled Drugs in his possession or under his control. He shall also arrange for the lawful disposal of all non-CDS medications in his possession or under his control intended for office use within this State. Excepted from this

requirement are medications prescribed for him for a documented medical purpose by his treating physician.

5. Respondent shall assure that all New Jersey office letterhead and all prescriptions pads bearing his name are destroyed, and that his name is removed from signs, letterhead, billing statements and advertisements of the surgery center. He shall make safe and appropriate disposition of all medical equipment which he owns, and of his ownership interest in any medical equipment and in real estate used for medical purposes and which is owned jointly with others.

6. Respondent is assessed investigation and prosecution costs of \$19,327.00, payable to the State Board of Medical Examiners.

7. Respondent is assessed an aggregate civil penalty of \$10,000.00 for the offenses set forth in Counts 1 through 7, pursuant to N.J.S.A. 45:1-25.

8. Except as provided in subparagraph (a), all costs and penalties, totaling \$29,327.00, shall be paid within 10 days of the entry of this Order, at the Board office at P.O. Box 183, Trenton, NJ 08625-0183. Failure to pay the amount in full, together with the reimbursement sums set forth in paragraph 9 below, shall result in the filing of a Certificate of Debt pursuant to N.J.S.A. 45:1-24. Interest on all financial assessments shall accrue in accordance with Rule of Court 4:42-11. All payments shall be made by certified check or money order payable to the State of New Jersey. In the event that a monthly payment is not received within five days of its due date, the entire balance of the civil penalty and costs shall become due and owing.

(a) Installment payments have been requested and are hereby approved by the Board, so that Respondent shall pay \$3,500.00 toward the costs no later than February 10, 2011, and shall be permitted to pay the remainder of costs and penalty (\$25,827.00) in three equal monthly installments, each due on the first day of the month commencing on March 1, 2011.

9. Respondent shall reimburse the sum of \$ 8,138.17 to the patients/third party payors whose redacted identities are set forth on Attachment A hereto, and whose full identities have been made known to Respondent and are on file with the Board. Each patient reimbursement shall be in the form of a separate certified check or money order payable to each named patient or third party payor (as applicable), and delivered to the Attorney General for transmittal to the named recipients, no later than April 1, 2011.

10. The entry of this Order shall not limit the authority of the Attorney General or of any other person or agency to initiate any further action permitted by law, whether administrative, civil or criminal, in any court or other forum of competent jurisdiction in connection with any matters coming within that jurisdiction.

11. It is intended by the parties that this Order shall resolve all administrative and license issues with Respondent, which were specifically alleged as violations by the Attorney General in the present Administrative Complaint, with regard to his responsibility to the State Board of Medical Examiners, and solely in connection with Professional Board law and rules.

12. The Notice of Reporting Practices of the Board regarding Disciplinary Actions is incorporated herein.

THIS ORDER IS EFFECTIVE UPON ENTRY.

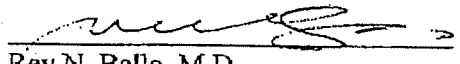
STATE BOARD OF MEDICAL EXAMINERS

By: 

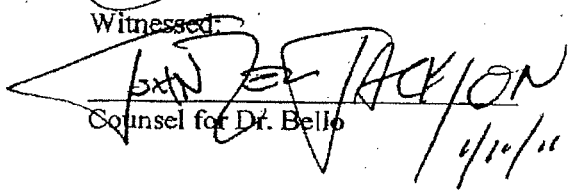
PAUL T. JORDAN, M.D.

President

I have read and understood the within Order and agree to be bound by its terms. I consent to the form and entry of the Order by the Board of Medical Examiners.


Rey N. Bello, M.D.

Witnessed:


Counsel for Dr. Bello

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Su5btitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license;
- (2) Which censures, reprimands or places on probation;
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.

ATTACHMENT A

<u>Patient</u>	<u>Amount paid</u>	<u>Insurance Carrier</u>
R.M.	\$1,418.96	Allstate Insurance Co.
N.M.	\$1,137.25	Allstate Insurance Co.
M.A.	\$2,915.62	Allstate Insurance Co.
R.G-D.	\$1,406.39	NJ CURE
J.C.	\$1,259.91	AIG